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APPENDIX A TO PART 80—TEST FOR THE DETERMINATION OF PHOSPHORUS IN GASOLINE

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APPENDIX C TO PART 80—[RESERVED]

APPENDIX D TO PART 80—SAMPLING PROCEDURES FOR FUEL VOLATILITY

APPENDIX E TO PART 80—TEST FOR DETERMINING REID VAPOR PRESSURE (RVP) OF GASOLINE AND GASOLINE—OXYGENATE BLENDS

APPENDIX F TO PART 80—TEST FOR DETERMINING THE QUANTITY OF ALCOHOL IN GASOLINE

APPENDIX G TO PART 80—SAMPLING PROCEDURES FOR DIESEL FUEL

AUTHORITY: Secs. 114, 211, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7414, 7545 and 7601(a)).

SOURCE: 38 FR 1255, Jan. 10, 1973, unless otherwise noted.

EFFECTIVE DATE NOTE: At 59 FR 7716, Feb. 16, 1994, EPA published amendments to part 80 containing information collection requirements. These amendments will not become effective until approval has been given by the Office of Management and Budget (OMB).

### Subpart A—General Provisions

#### §80.1 Scope.

(a) This part prescribes regulations for the control and/or prohibition of fuels and additives for use in motor vehicles and motor vehicle engines. These regulations are based upon a determination by the Administrator that the emission product of a fuel or additive will endanger the public health, or will impair to a significant degree the performance of a motor vehicle emission control device in general use or which the Administrator finds has been developed to a point where in a reasonable time it would be in general use were such regulations promulgated; and certain other findings specified by the Act.

(b) Nothing in this part is intended to preempt the ability of State or local governments to control or prohibit any

fuel or additive for use in motor vehicles and motor vehicle engines which is not explicitly regulated by this part.

[38 FR 1255, Jan. 10, 1973, as amended at 38 FR 33741, Dec. 6, 1973; 42 FR 25732, May 19, 1977]

### § 80.2 Definitions.

As used in this part:

(a) *Act* means the Clean Air Act, as amended (42 U.S.C. 1857 *et seq.*).

(b) *Administrator* means the Administrator of the Environmental Protection Agency.

(c) *Gasoline* means any fuel sold in any State<sup>1</sup> for use in motor vehicles and motor vehicle engines, and commonly or commercially known or sold as gasoline.

(d) [Reserved]

(e) *Lead additive* means any substance containing lead or lead compounds.

(f) [Reserved]

(g) *Unleaded gasoline* means gasoline which is produced without the use of any lead additive and which contains not more than 0.05 gram of lead per gallon and not more than 0.005 gram of phosphorus per gallon.

(h) *Refinery* means a plant at which gasoline or diesel fuel is produced.

(i) *Refiner* means any person who owns, leases, operates, controls, or supervises a refinery.

(j) *Retail outlet* means any establishment at which gasoline, diesel fuel, methanol, natural gas or liquefied petroleum gas is sold or offered for sale for use in motor vehicles.

(k) *Retailer* means any person who owns, leases, operates, controls, or supervises a retail outlet.

(l) *Distributor* means any person who transports or stores or causes the transportation or storage of gasoline or diesel fuel at any point between any gasoline or diesel fuel refinery or importer's facility and any retail outlet or wholesale purchaser-consumer's facility.

(m) *Lead additive manufacturer* means any person who produces a lead additive or sells a lead additive under his own name.

(n) *Reseller* means any person who purchases gasoline or diesel fuel identified by the corporate, trade, or brand name of a refiner from such refiner or a distributor and resells or transfers it to retailers or wholesale purchaser-consumers displaying the refiner's brand, and whose assets or facilities are not substantially owned, leased, or controlled by such refiner.

(o) *Wholesale purchaser-consumer* means any organization that is an ultimate consumer of gasoline, diesel fuel, methanol, natural gas or liquefied petroleum gas and which purchases or obtains gasoline, diesel fuel, natural gas or liquefied petroleum gas from a supplier for use in motor vehicles and, in the case of gasoline, diesel fuel, methanol or liquefied petroleum gas, receives delivery of that product into a storage tank of at least 550-gallon capacity substantially under the control of that organization.

(p)-(q) [Reserved]

(r) *Importer* means a person who imports gasoline, gasoline blending stocks or components, or diesel fuel from a foreign country into the United States (including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands).

(s) *Gasoline blending stock or component* means any liquid compound which is blended with other liquid compounds or with lead additives to produce gasoline.

(t) *Carrier* means any distributor who transports or stores or causes the transportation or storage of gasoline or diesel fuel without taking title to or otherwise having any ownership of the gasoline or diesel fuel, and without altering either the quality or quantity of the gasoline or diesel fuel.

(u) *Ethanol blending plant* means any refinery at which gasoline is produced solely through the addition of ethanol to gasoline, and at which the quality or quantity of gasoline is not altered in any other manner.

(v) *Ethanol blender* means any person who owns, leases, operates, controls, or supervises an ethanol blending plant.

(w) *Cetane index* or "Calculated cetane index" is a number representing the ignition properties of diesel fuel oils from API gravity and mid-boiling

<sup>1</sup>State means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.